

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA)
)
VS.) 3-09-207-MJ
)
JESSIE WILLIAM McGRAW)

DETENTION ORDER PURSUANT TO 18 U.S.C. §3142(i)

On July 1, 2009, came on to be held the detention hearing in the above styled and numbered cause pursuant to 18 U.S.C. §3142(f), and the Defendant appeared in person and through counsel and the government appeared through its attorney, the United States Attorney for the Northern District of Texas, and having considered the statements of the parties, the Pretrial Services Report to the Magistrate Judge, the testimony of Special Agent Allyn Lynd of the F.B.I. at the probable cause hearing held this date and at the detention hearing, the testimony of Defendant's wife, and the videotapes and papers and pleadings filed in this criminal complaint, the Magistrate Judge has determined that the Defendant should be detained in custody pending disposition of this action. Pursuant to the directions of §3142(i), the Magistrate Judge makes the following written findings of fact and his written statement of the reasons for the detention of the above named Defendant.

The Defendant is charged by complaint with the offense of downloading a malicious code into a computer located at 9301 N. Central Expressway, Dallas, Texas, in a building that houses Carrel Clinic, and as a result of such conduct intentionally causing damage without authorization, to a protected computer and the harm threatened public health and safety, in violation of 18 U.S.C. § 1030(a)(5)(A) and 1030(c)(4)(B)(iv).

The evidence presented including the witnesses' testimony and the Internet downloads clearly and convincingly demonstrate that if released on bond Defendant would pose a serious risk


of obstruction of justice and a danger to the safety of others and to the community. If released on bond, there are no means available to assure that Defendant would not have access to a computer and it is clear that Defendant has the knowledge and could readily obtain tools necessary to engage in the same type of illegal conduct if he were released from custody.

IT IS, THEREFORE, ORDERED that the Defendant is committed to the custody of the United States Marshal for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal, and that the Defendant shall be afforded reasonable opportunity for private consultation with his counsel.

IT IS FURTHER ORDERED that the United States Marshal shall produce the Defendant in District Court as directed.

A copy of this order shall be transmitted to Defendant's counsel and counsel for the government.

SIGNED this 2nd day of July, 2009.


WM. F. SANDERSON, JR.
UNITED STATES MAGISTRATE JUDGE